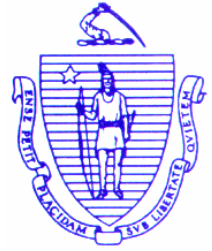




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**LATE-SEASON AGGREGATION OF RIGHT WHALES PROMPTS
ADVISORY TO MARINERS AND
EXTENSION OF WHALE-SAFE FISHING RULES TO MAY 15.**

Center for Coastal Studies right whale researchers conducting aerial surveys as part of Massachusetts' Right Whale Program have documented the presence of up to 23 endangered northern right whales in Cape Cod Bay. This late-season aggregation of endangered right whales warrants restriction to minimize the risk of vessel strikes or entanglements. Late winter and early spring is typically the peak season for right whales in Cape Cod Bay and they usually depart the bay before the end of the April for other habitats, notably the Great South Channel Critical Habitat east of Nantucket, the Bay of Fundy and waters south of Nova Scotia. Whales were observed feeding on dense blooms of plankton throughout the bay during the past few weeks. This year they appear likely to remain in the bay for days to weeks.

MarineFisheries is issuing an urgent warning to all mariners operating in Cape Cod Bay to be on the lookout for endangered right whales. Gear restrictions in the Cape Cod Bay Critical Habitat during January 1 through April 30 (322 CMR 12.05) are also extended by fifteen days through May 15.

Northern right whales are the most endangered of the large whales in the western Atlantic Ocean, with a population of only about 350 animals. Ship strikes are believed to be the primary cause of man-induced mortality for the right whale, thus it is critical that all mariners look out for these whales, especially in the area off the eastern end of the Cape Cod Canal. The southwestern portion of the Bay is a bottleneck for vessel traffic exiting and entering the canal. *MarineFisheries* urges mariners to proceed with caution and consider the following actions:

- **Reduce speed to 15 knots if possible, and especially if visibility is poor.**
- **Post a lookout and be on alert.**
- **Do not approach right whales within 500 yards. To do so is a violation of state and federal regulation.**

Scientists believe feeding right whales may be oblivious to their surroundings, thereby unable to avoid an oncoming vessel. Subsurface feeding, as the name suggests, occurs just below the surface where animals are difficult to see, yet still vulnerable to ship strikes. More vessel traffic is expected in this area over the next few weeks with seasonal increases in recreational and commercial fishing, as well as whale watching, and passenger ship activity. "It is important that mariners operate at slower speeds, keep a lookout for right whales on or near the water's surface, and not approach right whales, which can be especially vulnerable to ship strikes when feeding," noted *MarineFisheries* Director Paul Diodati. The

Massachusetts Environmental Police will patrol the area and inform vessel operators about the increased presence of right whales.

The Cape Cod Bay Critical Habitat fixed gear requirements (noted below) will be extended to **May 15**. These rules will have a direct impact on non-commercial lobster fishermen, since most non-commercial fishermen are not used to complying with the winter/early spring whale-safe rules requiring the setting of multiple-pot strings of traps strung together with sinking line, and a special buoy marking scheme. The following rules apply through May 15.

- **use of breakaway features for all buoy lines;**
- **setting of traps in “trawls” of 4-pots or more (single pots are prohibited) with vertical buoy lines on each end or in “doubles” where two pots are strung together with only one buoy line;**
- **use of sinking or neutrally buoyant groundlines between pots;**
- **use of special buoy marking scheme (“twin orange flags”) to designate “modified” lobster gear in Critical Habitat; and**
- **a prohibition on gillnets.**

For further information please consult our website at www.mass.gov/marinefisheries and regulations at http://www.state.ma.us/dfwele/dmf/CommercialFishing/cmr_index.htm#frame and at http://www.state.ma.us/dfwele/dmf/commercialfishing/cmr_index.htm.

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